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Via Electronic Filing

Office of the Chief Clerk
United States District Court
District of New Jersey
Martin Luther King, Jr. Federal Building
50 Walnut Street
Newark, NJ 07101

**Re: Mary P. Colvin, et. al. v. Van Wormer Resorts, Inc. et al.
07- CIV 4826 (WJM)**

Dear Sir or Madam:

Pursuant to local Rule 7.1(d) on behalf of Plaintiffs we herewith submit the Attorneys Affirmation of the undersigned, together with exhibits, in opposition to the third motion of the defendants to dismiss now returnable on September 15, 2008. Due to attorney Clarke's absence from the office beginning shortly after he received defendants' motion, I would request that the Court grant an extension from Sept. 2 for the filing of the opposition papers. Since attorney Clarke returned to the office following Labor Day, the complexity of defendants' new motion, and the research of the new points raised by defendants, and other pressing obligations accumulated during his vacation at the end of August, prevented him from completing his opposition until today. We do not believe defendants would suffer any prejudice from receiving the papers a full ten days prior to the return date.

Thank you for your consideration.

Very truly yours,


James F. Moscaguri

So Ordered

_____, USDJ